

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

MARILYN SANGMEISTER,
Plaintiff,
vs.
MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,
et al.,
Defendants.

No. CV-11-3041-LRS

**ORDER ALLOWING
WITHDRAWAL OF
COUNSEL, *INTER ALIA***

MORTGAGE ELECTRONIC
REGISTRATION SYSTEMS, INC.,
et al.,

Defendants.

In response to the court's May 23, 2011 "Order Re Notice Of Intent To Withdraw" (ECF No. 14), counsel for Plaintiff has verified that he served a copy of his "Notice Of Attorney's Intent To Withdraw" (ECF No. 13) upon the Plaintiff and opposing counsel.

Regarding the issue of “good cause,” counsel states that “[d]ue to the removal of the case from the Superior Court in Clark County, Washington, to the United States District Court in the Eastern District of Washington, my client decided that it was geographically impracticable and economically unfeasible to retain my services in continuance of the action.” The record reflects this case was removed from Yakima County Superior Court, not Clark County Superior Court . Indeed, had the case been pending in Clark County Superior Court, only removal to the Western District of Washington would have been permissible. 28 U.S.C.

ORDER ALLOWING

WITHDRAWAL OF COUNSEL- 1

1 Section 1441(a). While the Plaintiff is a resident of Clark County, the real
2 property at issue is located in Yakima County.

3 It appears it is in the best interests of the Plaintiff that the court allow
4 withdrawal of her counsel so that she is free to retain substitute counsel or make
5 clear her intention to proceed *pro se*. Accordingly, Grant C. Broer, Esq., is
6 **WITHDRAWN** as counsel of record for the Plaintiff. Within thirty (30) days of
7 the date of this order, Plaintiff, Marilyn Sangmeister, must have another attorney
8 enter a notice of appearance on her behalf, or she must file a statement of intent to
9 proceed *pro se* in this matter. **FAILURE TO DO THIS WITHIN THE TIME**
10 **ALLOWED WILL RESULT IN A DISMISSAL OF THIS ACTION**
11 **WITHOUT PREJUDICE AND CLOSING OF THE FILE.** If Plaintiff files a
12 statement of intent to proceed *pro se*, she must mail a copy of the same to John S.
13 Devlin, Esq., and Andrew G. Yates, Esq., Lane Powell PC, 1420 Fifth Avenue,
14 Suite 4100, Seattle, WA 99201.

15 If new counsel appears on behalf of Plaintiff, or Plaintiff files a statement of
16 intent to proceed *pro se*, the court will promptly set a deadline for Plaintiff's
17 response to the Motion To Dismiss (ECF No. 6) filed by Defendants, Mortgage
18 Electronic Registration Systems, Inc., and Reconstruct Company N.A., and re-note
19 the motion for hearing without oral argument after giving the Defendants an
20 opportunity to file a reply. Pending further order of the court, the June 2 date for
21 hearing without oral argument of the Motion To Dismiss (ECF No. 6) is
22 **VACATED** and the motion is **STAYED**.

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27 **ORDER ALLOWING**
28 **WITHDRAWAL OF COUNSEL- 2**

IT IS SO ORDERED. The District Executive is directed to enter this order and forward copies to Grant C. Broer, Esq., to counsel of record for Defendants, and to the Plaintiff, Marilyn Sangmeister, 17312 SE 28th Street, Vancouver, WA 98683.

DATED this 9th of June, 2011.

s/Lonny R. Suko

LONNY R. SUKO
United States District Judge

**ORDER ALLOWING
WITHDRAWAL OF COUNSEL-** 3